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#28Attorney's Docket No.: 4704,P001PatentIn Re the Application of: Faber, et al.Application No.: 09/414,710Filed: 10/08/1999For: SYSTEM FOR PROVIDING SERVICES IN REAL-TIME OVER THE INTERNETGroup Art Unit: 2163Examiner: Susanna DiazNOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCESCOMMISSIONER FOR PATENTS  
Washington, D.C. 20231-0001

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated 10/22/2001 of the Examiner rejecting claims 44-46, 48-51, 53-68, 70-88, 90-92, 97, and 104-108.

The items checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R. § 1.17(b):

X a. other than small entity: fee \$ 320.00  
b. small entity: fee \$ 160.00

verified statement attached  
verified statement was filed

X A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with a check for the fee for the extension of time.

X Enclosed is a check in the amount of \$320.00 for the Notice of Appeal fee.

05/22/2002 LYON

01 FC:119  
02 FC:117

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Judy L. Steinkraus

Please charge the Notice of Appeal fee to Deposit Account Number 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

XXX If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

Date: April 17, 2002

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John P. Ward, Reg. No. 40,216

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**ZAFMAN** (408) 720-8383 (Facsimile)  
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**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Susanna Meinecke-Diaz GAU 2100  
Firm Name: c/o Commissioner for Patents  
Fax Number: (703) 746-7048 Telephone No.: \_\_\_\_\_  
From: John P. Ward x237  
Date: 5/20/2002 Time: 4:15 p.m.  
Operator: Judy Steinkraus x280 Matter: 4704.P001 09/414,710  
Number of pages including cover sheet: 9

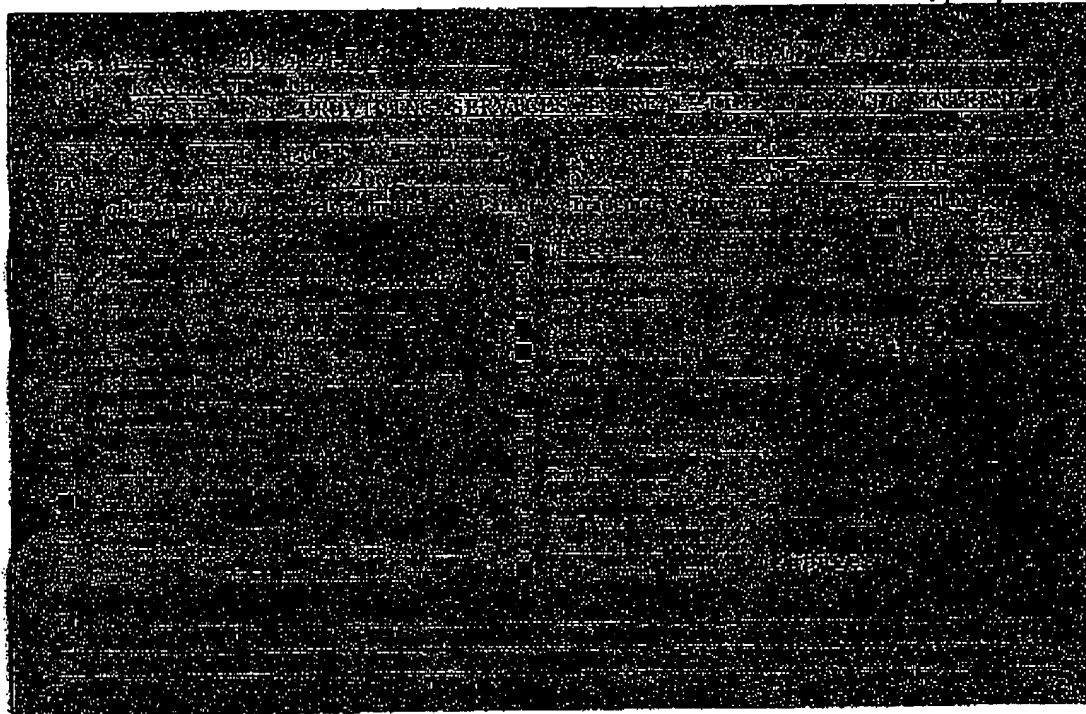
Message: Attached is a copy of the Notice of Appeal, Petition for Extension of Time,  
return postcard, checks, and fee transmittal as filed via first class mail on April 17,  
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you and best regards.

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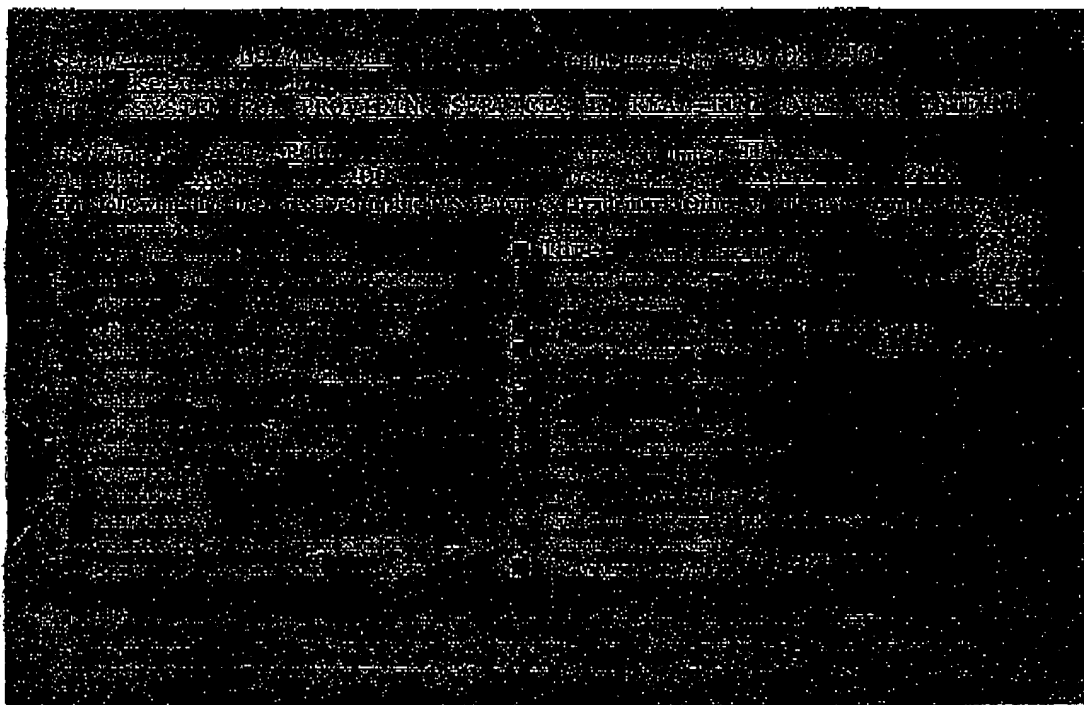
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**APR 11 2002**

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 Washington, DC 20231-0001

**49462 11211375 PPO 189015735561**

**49462**

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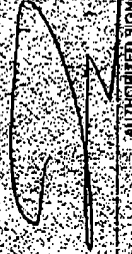
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 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY NO RECEIPT DESIRED.

Invoice: 4704.P001 - Keen, Inc.  
 JPW - jxs  
 Appeal Brief filing fee

04/11/2002 Amount: 320.00

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<b>PAY NINE HUNDRED TWENTY &amp; NO/100</b>		<b>APR 11 / 2002</b>		<b>49469</b>
<b>Director of the United States Patent &amp; Trademark Office Washington, DC 20231-0001</b>		<b>DOLLARS \$ 920.00</b>		<b>49469</b>
<b>TO THE ORDER OF</b>				<b>49469</b>
<b>DO NOT CASH THIS CHECK UNLESS YOU CAN SEE THE WORDS 'CHECK PROTECT' ON REVERSE SIDE</b>		<b>189046736541</b>		<b>49469</b>

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Invoice: 04/11/2002 Amount: 920.00  
 4704.P001 - Keen, Inc.  
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 Extension of Time fee for patent

49469

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PTO/SB/17(09/00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL FOR FY 2002****TOTAL AMOUNT OF PAYMENT \$1,240.00****Complete if Known:**

Application No. 09/414,710

Filing Date 10/08/1999

First Named Inventor Faber, et al.Group Art Unit 2163Examiner Name Susanna DiazAttorney Docket No. 4704.P001**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge deficiencies in fees and credit any over payments to:

Deposit Account Number 2-2666

Deposit Account Name \_\_\_\_\_

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
☐ Money Order  
☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
SUBTOTAL (1) \$					_____

**2. EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue Independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

10/04/01

- 1 -

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	320.00
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
184	130	184	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$1,240.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: John P. Ward

Signature: \_\_\_\_\_

Date: April 17, 2002Reg. Number: 40,216Telephone Number: (408) 720-8300 x237